THE HON'BLE SRI JUSTICE P.S.NARAYANA

WRIT PETITION NO.15138 of 2006

DATED 01.11.2006

Between:
Cine Guild Cooperative Housing Society Limited,
a Society registered under the A.P. Cooperative
Societies Act, Regd. No.TAB/108/75. represented
by its President Krishna Rao Keshav. .. PETITIONER

versus

Government of Andhra Pradesh, represented by
its Secretary, Municipal Administration and
Urban Development, Secretariat, Hyderabad,
and two others. .. RESPONDENTS

WRIT PETITION NO.15138 of 2006

ORDER:

The Writ Petition is filed for a Writ of Mandamus declaring the inaction on the part of the respondents in not sanctioning the necessary plan for construction of the Community Hall-cum-Local Shopping pursuant to the application dated 3.4.2006 (received by the respondent No.2 on 4.6.2006) in Survey Nos.2 and 3 situated at Musheerabad, Hyderabad, as illegal, arbitrary and contrary to provisions of H.M.C. Act and consequently directing the respondents to pass appropriate orders under the provisions of the H.M.C. Act on the application dated 3.4.2006 made by the petitioner-Society for sanctioning necessary plan for the purpose of constructing a Community Hall-cum-Local Shopping in the lay out plan dated 14.6.1997 in Survey Nos. 2,3 and 4 situated at Musheerabad, Hyderabad and pass such other suitable orders.

2. The learned Standing Counsel representing respondents 2 and 3 would submit that no proper application as required under Sections 428 to 433 of Hyderabad Municipal Corporation Act, 1955 had been made in this regard. The learned Standing Counsel also would submit

that respondents 2 and 3 have no objection to consider if an application is made in this regard in accordance with law.

3. In view of the stand taken by the learned Standing Counsel representing respondents 2 and 3, this Court is of the considered opinion that the Writ Petition be disposed of giving liberty to the petitioner to make appropriate application in accordance with law in this regard, and respondents 2 and 3 to consider and dispose of the same in accordance with law as expeditiously as possible.

4. The Writ Petition is disposed of accordingly. There shall be no order as to costs.

01.11.2006

SSR